



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.05.2022

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN

W.P. No. 12225 of 2022

T.Selvaraj

.. Petitioner

Versus

1. The Principal Secretary to Government
Rep. Finance (Pension) Department
Secretariat
Chennai - 600 009.
2. The Joint Director of Health Services
Office of Joint Director of Health Services
Villupuram District
3. The Additional Treasury Office
District Treasury
Kallakurichi
4. The Divisional Manager
United Indian Insurance Company Limited
5th Floor, PLA Ratna Tower
212 Annasalai
Teynampet
Chennai - 600 022

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the fourth respondent to reimburse the balance amount of Rs.2,69,000/- of the medical claim by considering the petitioner's representation dated 22.02.2022.

For Petitioner : Mr.K.Suthan

For Respondents : Mr.V.Manohar
Additional Government Pleader

O R D E R

The present writ petition has been filed praying for issuance of a Writ of Mandamus directing the fourth respondent to reimburse the balance amount of Rs.2,69,000/- towards medical



claim by considering the petitioner's representation dated 22.02.2022.

2. According to the petitioner, he retired as a Special Sub-Inspector of Police on 31.05.2016 and after his retirement, he is residing at Chinnasalem. On 04.08.2018, owing to medical emergency, he admitted his wife in Sims Chellum Hospital, at Salem where she had undergone a surgery for her kidney related ailment. It is stated that the petitioner spent a total sum of Rs.3,43,000/- for the purpose of his wife's medical expenses. After discharge of his wife, the petitioner approached the third respondent with an application for medical claim, which was forwarded to the second respondent. The second respondent, on perusal of the application, passed an order in proceedings Ref. No. 1279/ A3/2020/Pensioner dated 27.08.2021 directing the fourth respondent to consider the medical claim of the petitioner as expeditiously as possible. Thereafter, the fourth respondent informed that a sum of Rs.74,000/- has been credited in the savings bank account of the petitioner as against the claim of Rs.3,43,000/-. Aggrieved by the same, on 21.02.2022, the petitioner met the fourth respondent in his office and enquired about the partial payment made, but the fourth respondent has not given any satisfactory reply. Therefore, the petitioner made a written representation dated 22.02.2022 to the fourth respondent seeking to reimburse the balance amount of Rs. 2,69,000/- and the same is still pending without any consideration. Hence, this writ petition.

3. The learned counsel for the petitioner submitted that the fourth respondent has not given any good reason as to why a sum of Rs.74,000/- only was settled, as against the claim of Rs.3,43,000/-. Further, he submitted that the petitioner is being made to run from pillar to post for getting his legitimate claim of medical reimbursement under the insurance scheme. Even the written representation dated 22.02.2022 submitted by the petitioner has not evoked any response and therefore, he seeks for issuing appropriate direction to the fourth respondent to consider the representation dated 22.02.2022.

4. The learned Additional Government Pleader, on instructions, submitted that the Director General of Police in the proceedings in Na.Ka.No.1940326/PHF/2/2022 dated 08.02.2022 has already forwarded the proposal to reimburse the medical expenses to the petitioner and the same is pending before the fourth respondent.

5. Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents 1 to 3 and perused the materials placed on record.



6. This is yet another unfortunate case where a pensioner has been made to knock the doors of this Court, in view of non response from the fourth respondent in connection with his claim for medical reimbursement. This Court has been repeatedly passing orders on a daily basis in case of this nature and it is painful to note that the old age pensioners are not being treated properly and their legitimate claim for medical reimbursement has been kept pending for a long time.

7. Considering the fact that the Director General of Police in his proceedings in Na.Ka.No.1940326/PHF/ 2/2022 dated 08.02.2022 has already directed the fourth respondent to consider the claim of the petitioner and it is pending till date, this Court directs the fourth respondent to consider the petitioner's representation dated 22.02.2022 and pass order on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.

8. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar(Vacation Officer)

//True Copy//

Sub Assistant Registrar

dhk/rsh

To

1. The Principal Secretary to Government
Rep. Finance (Pension) Department
Secretariat
Chennai - 600 009.
2. The Joint Director of Health Services
Office of Joint Director of Health Services
Villupuram District
3. The Additional Treasury Office
District Treasury
Kallakurichi



WEB COPY

4. The Divisional Manager
United Indian Insurance Company Limited
5th Floor, PLA Ratna Tower
212 Annasalai
Teynampet
Chennai - 600 022

+1cc to Mr.K.Suthan, Advocate, S.R.No.31178

+1cc to the Government Pleader, S.R.No.31290

WP No. 12225 of 2022

NR(CO)
SU(18/05/2022)